

RESOLUTION AWARDING MAIN STREET AND PARK PLACE SANITARY SEWER REPLACEMENT PROJECT CONTRACT NO. PRB-19-1 (RE-BID) TO MONTANA CONSTRUCTION CORP., INC.

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“Authority”) solicited re-bids for the Main Street and Park Place Sanitary Sewer Replacement Project, Contract No. PRB-19-1 (Re-bid) after rejecting all prior bids for substantially exceeding the pre-bid cost estimate and for all other reasons set forth in Resolution No, R-19-8-3; and

WHEREAS, as a result of the re-bid, one bid was received on October 9, 2019 as follows:

Montana Construction Corp., Inc.	\$1,422,025.00
80 Contant Avenue	
Lodi, New Jersey 07644	

WHEREAS, the bidding documents were reviewed by the Authority’s staff and consultants, including the firm Maraziti, Falcon LLP and the firm Mott McDonald; and

WHEREAS, the bid response from Montana Construction Corp., Inc. does not contain any material defects; and

WHEREAS, the Authority’s Consulting Engineer, Mott MacDonald, has recommended that the Contract be awarded to Montana Construction Corp., Inc. pursuant to its letter dated October 14, 2019; and

WHEREAS, the bidding documents include plans for the improvement to public property that were designed by Mott MacDonald; and

WHEREAS, N.J.S.A. 59:4-6 provides that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto

where the plan or design was approved in advance of construction or improvement by the Authority or a public employee exercising discretionary authority to give such approval on its behalf where such plan or design was prepared in conformity with the standards previously approved by the Authority; and

WHEREAS, in addition to awarding the Main Street and Park Place Sanitary Sewer Replacement Project, Contract No. PRB-19-1 (Re-Bid), to the lowest responsible bidder, the Authority desires to record its approval of said plans and design for the Main Street and Park Place Sanitary Sewer Replacement Project, Contract No. PRB-19-1 (Re-Bid).

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic and State of New Jersey, on this 16th day of October, 2019, as follows:


1. All immaterial defects contained in the bid submission of Montana Construction Corp., Inc., if any, are waived and the Authority awards the Main Street and Park Place Sanitary Sewer Replacement Project, Contract No. PRB-19-1 (Re-bid), to Montana Construction Corp., Inc. as the lowest responsible bidder in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
2. The Contract awarded herein to Montana Construction Corp., Inc. shall commence after the execution of the Contract, the submission of the Performance Guarantees and all required insurance certificates required by the Contract, and after the issuance of a Notice to Proceed issued on behalf of the Authority.
3. The entire design, specifications and plans prepared by Mott McDonald and to be utilized for the Main Street and Park Place Sanitary Sewer Replacement Project,

Contract No. PRB-19-1, are hereby approved for the purpose of the immunity to be afforded to the Authority in accordance with N.J.S.A. 59:4-6.

4. The Consulting Engineer and Authority Administrator, together with the Authority's professional consultants are hereby authorized to take such actions as are necessary or desirable to effectuate the terms and conditions of this Resolution and to take measures to ensure that all appropriate documents, as required by the Main Street and Park Place Sanitary Sewer Replacement Project, Contract No. PRB-19-1 (Re-bid) are provided by the Contractor prior to the issuance of the Notice to Proceed.
5. The Authority Treasurer certifies the availability of funds in the bid amount of \$1,422,025 to finance the Main Street and Park Place Sanitary Sewer Replacement Project from the Construction Fund.
6. This Resolution shall take effect immediately.

CERTIFICATION

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Pequannock River Basin Regional Sewerage Authority held on this 16th day of October, 2019.


Edwin Howard, Secretary